

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

*In re Dealer Management Systems Antitrust
Litigation*, MDL 2817

No. 1:18-CV-864

This document relates to:

Hon. Robert M. Dow, Jr.

ALL ACTIONS

Magistrate Judge Jeffrey T. Gilbert

DECLARATION OF MATTHEW D. PROVANCE

I, Matthew D. Provance, pursuant to 28 U.S.C. § 1746, hereby declare:

1. I am a partner at Mayer Brown LLP and represent CDK Global, LLC (“CDK”) in the above-captioned matter. I submit this declaration based upon my personal knowledge and following a reasonable investigation of the matters addressed below.

2. CDK has not, either directly or through Mayer Brown LLP, provided a copy of the documents that AutoMate, Inc. (“AutoMate”) produced in response to a non-party subpoena issued in the above-captioned litigation or a copy of the transcript or exhibits from AutoMate’s December 20, 2018 deposition to the Federal Trade Commission.

3. CDK has not, either directly or through Mayer Brown LLP, provided a copy of the aforementioned documents to any other person or entity not expressly authorized to access them under Paragraphs 5(b) and 5(c) of the Agreed Confidentiality Order (Dkt. 650).

4. I am not aware of any pending subpoena, compulsory legal process, or judicial order that would require CDK to produce the aforementioned documents to another requesting party. Should CDK receive such a request, CDK or its counsel will notify AutoMate of the request in accordance with Paragraph 11 of the Agreed Confidentiality Order.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Dated: October 7, 2020

Respectfully submitted,

/s/ Matthew D. Provance
Matthew D. Provance